IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 10007 of 2004(N)

PETITIONER:

ALAPATI SRINIVASA RAO, PROPRIETOR,
M/S. SRAVAN KUMAR TRADERS, ELURU BAZAAR,
GUNTUR-522 033 (A.P), INDIA.

BY ADV. SRI.D.KRISHNA PRASAD
SRI.M.HARISHARMA

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY ITS
CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE KERALA STATE CIVIL SUPPLIES
CORPORATION LTD., REPRESENTED BY ITS MANAGING
DIRECTOR, KOCHI-20

3. THE CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS CHIEF DIRECTOR5, NEW DELHI.

4. THE VIGILANCE COMMISSION,
REPRESENTED BY CHIEF VIGILANCE COMMISSIONER,
NEW DELHI.

ADDL. R5

R. VIJAYAKUMAR, MANAGING PARTNER
M/S. AVK TRADERS, VI/1963, OPP. UCO BANK
ANAVATHIL, KOCHI - 682 002

(IMPLEADED AS ADDL. R5 AS PER ORDER DT. 5.8.05 IN I.A. 11448/05)

R2 BY ADV. SRI.GEORGE POONTHOTTAM,SC, KSCSC
R3 BY ADV SRI.S.SREEKUMAR, SC FOR CBI
ADDL. R5 BY ADV.SHRI. JAYASHANKAR NAMBIAR
SMT.PRIYA MAHESH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 10007/04

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF REPRESENTATION DT. 31.12.2003 SUBMITTED BY THE PETITIONER BEFORE THE 3RD RESPONDENT

EXT.P2: -DO- OF REPRESENTATION DT. 31/12/2003 SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT

EXT.P3: -DO- OF LETTER ISSUED BY THE PARAKKODE DEPOT OF THE 2ND RESPONDENT DT. 8.1.2003

EXT.P4: -DO- OF THE LETTER ISSUED BY THE THALASSERY DEPOT OF THE 2ND RESPONDENT DT. 14.1.2003

EXT.P5: LIST OF SUPPLIERS OF THE 2ND RESPONDENT IN 2003

EXT.P6: PAPER REPORT - MATHRUBHUMI DT. 6.10.2002

EXT.P7 SERIES: PAPER REPORTS APPEARED ON SEVERAL DAYS

EXT.P8: COMPARATIVE STATEMENT OF RATES OF PURCHASE OF THE KSCCF AND THAT OF THE 2ND RESPONDENT

EXT.P9: STATEMENT SHOWING DIFFERENCE IN THE RATES AND THE AMOUNT OF LOSS SUFFERED BY THE DEPARTMENT

EXT.P10: RELEVANT PAGE OF THE TENDER FORM FOR THE YEAR 2002

EXT.P11: -DO- OF THE TENDER FORM FOR THEYEAR 2003

EXT.P12 SERIES: TRUE COPIES OF THE SUPPLY ORDERS GIVEN BY THE 2ND RESPONDENT FROM 10-2003 TO 8-2004

RESPONDENT'S EXTS:

EXT.R2A SERIES: TRUE COPY OF THE PURCHASE ORDERS ISSUED TO THE PETITIONERS DT. 8.11.2002, 10.5.2002

EXT.R2B: -DO- OF THE REVISED SPECIFICATION OF RED CHILLIES ISSUED BY THE CORPORATION

EXT.R2C: -DO- OF THE REJECTION SLIP ISSUED TO THE PETITIONER DT. 4.2.002

EXT.R2D: -DO- OF THE REJECTION SLIP ISSUED TO THE PETITIONER DT. 5.2.2002

EXT.R2E: -DO- OF THE LETTER SENT BY THE PETITIONER TO THE MANAGING DIRECTOR DT. 12.2.2002

EXT.R2F SERIES: -DO- OF THE COMMUNICATIONS DT. 18.2.2002 AND 19.2.2002

EXT.R2G: -DO- OF THE COMMUNICATION ISSUED TO THE PETITIONER NO: P2.215302 DT. 6.4.2002

EXT.R2H: -DO- OF THE PURCHASE ORDER NO: 2658 DT. 8.11.2002

EXT.R2I: -DO- OF THE LETTER SENT BY THE PETITIONER DT. 12.12.2002

EXT.R2J: -DO- O THE COMMUNICATION NO: QC1-4025/2002 DT. 6.1.2003

EXT.R2K: PHOTOCOPY OF THE GRADE SPECIFICATION OF SPICES

EXT.R2L: -DO- OF THE PAPER REPORT DT. 17.6.2004 (MALAYALA MANORAMA)

EXT.R2M: -DO- OF VIGILANCE OFFICER'S REPORT NO: VE 2/03 DT. 17.3.2003

EXT.R2N: -DO- DT. 20.12.2004

EXT.R2O: -DO- OF REPORT OF ADDL. GEN. MANAGER (P) WITH COMPARATIVE ANALYSIS OF RATES OF CORPORATION FROM 4/02 TO 8/04 WITH THAT OF CONSUMERFED AND NEWS PAPER RATES

EXT.R2P: -DO- OF REPORT OF VIGILANCE OFFICER DT. 16.6.2001

EXT. R2Q: -DO- OF TENDER FORM OF 2/05 AND LIST OF SUPPLIERS

jj /TRUE COPY/

P.A. TO JUDGE

KURIAN JOSEPH, J.

W.P.(C) NO. 10007 OF 2004

Dated this the 26th day of November, 2007.

J U D G M E N T

This writ petition is filed praying for a direction to the third respondent to conduct a thorough enquiry on Exhibit P1. It is submitted that the third respondent is already seized of the matter. In the above circumstances, in case the petitioner has still any grievance left or materials to be produced, he may approach the third respondent.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp